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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2006-0040]

SGS North America, Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the final decision to expand the scope of recognition for SGS North America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the addition of four test standards to the NRTL Program's List of Appropriate Test Standards.

DATES: The expansion of the scope of recognition becomes effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S.

Department of Labor; telephone: (202) 693-2110; email: robinson.kevin@dol.gov.

OSHA's webpage includes information about the NRTL Program (see

<http://www.osha.gov/dts/otpc/nrtl/index.html>).

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of SGS of North America, Inc. (SGS), as a NRTL. SGS's expansion covers the addition of eighteen test standards to the scope of recognition. Additionally, OSHA announces the addition of four test standards to the NRTL Program's List of Appropriate Test Standards.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified by 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification of the products.

The agency processes applications by a NRTL for initial recognition, or for expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the *Federal Register* in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding and, in the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational webpage for each NRTL that details the scope of recognition. These pages are available from the agency's website at <http://www.osha.gov/dts/otpc/nrtl/index.html>.

SGS submitted an application to OSHA to expand recognition as a NRTL to include twenty additional test standards on June 5, 2020 (OSHA-2006-0040-0070). This application was amended on June 8, 2021, to remove one standard from the original application (OSHA-2006-0040-0071). OSHA staff performed a detailed analysis of the

application packet and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

OSHA published the preliminary notice announcing SGS's expansion application and proposed addition to the NRTL Program's List of Appropriate Test Standards in the *Federal Register* on November 1, 2021 (86 FR 60299). As OSHA noted therein, OSHA preliminarily determined that one of the standards requested in the application, UL 4200A, Standard for Products Incorporating Button or Coin Cell Batteries of Lithium Technologies, does not meet the appropriate test standard requirements in 29 CFR 1910.7(c) because it does not specify the safety requirements for specific equipment or a class of equipment as required by the regulation. Therefore the agency did not consider this standard in SGS's expansion application. The expansion in this notice includes the remaining eighteen standards.

The agency requested comments by November 16, 2021, but it received no comments in response to this notice. OSHA now is proceeding with this final notice to grant expansion of SGS's scope of recognition.

To obtain or review copies of all public documents pertaining to SGS's application, go to <http://www.regulations.gov>. Docket No. OSHA-2006-0040 contains all materials in the record concerning SGS's recognition. **Please note:** Due to the COVID-19 pandemic, the Docket Office is closed to the public at this time but can be contacted at (202) 693-2350, TTY (877) 889-5627.

II. Final Decision and Order

OSHA staff examined SGS's expansion application, the capability to meet the requirements of the test standards, and other pertinent information. Based on a review of this evidence, OSHA finds that SGS meets the requirements of 29 CFR 1910.7 for expansion of the recognition, subject to the specified limitation and conditions listed. OSHA, therefore, is proceeding with this final notice to grant expansion of SGS's scope

of recognition. OSHA limits the expansion of SGS's scope of recognition to testing and certification of products for demonstration of conformance to the test standard listed in Table 1.

Table 1
List of Appropriate Test Standards for Inclusion in
SGS's NRTL Scope of Recognition

Test Standard	Test Standard Title
UL 50	Enclosures for Electrical Equipment
UL 458	Power Converters/Inverters and Power Converter/Inverter Systems for Land Vehicles and Marine Crafts
UL 1973	Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail (LER) Applications
UL 2054	Standard for Household and Commercial Batteries
UL 2097	Reference Standard for Double Insulation Systems for Use in Electronic Equipment
UL 2271	Standard for Batteries for Use in Light Electric Vehicles (LEV) Applications
UL 2272*	Standard for Electrical Systems for Personal E-Mobility Devices
UL 2738	Standard for Induction Power Transmitters and Receivers for Use with Low Energy Products
UL 2743*	Standard for Portable Power Packs
UL 8139*	Electrical Systems of Electronic Cigarettes and Vaping Devices
UL 1090	Electric Snow Movers
UL 1447	Electric Lawn Mowers
UL 61010-2-040	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-040: Particular Requirements for Sterilizers and Washer-Disinfectors Used to Treat Medical Materials
UL 61010-2-081	Standard for Safety Requirements for Electrical Equipment for Measurement, Control, and Laboratory Use - Part 2-081: Particular Requirements for Automatic and Semi-Automatic Laboratory Equipment for Analysis and Other Purposes
UL 61010-2-091	Standard for Safety Requirements for Electrical Equipment for Measurement, Control, and Laboratory Use - Part 2-091: Particular Requirements for Cabinet X-Ray Systems
UL 61010-2-101	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use - Part 2-101: Particular Requirements for In Vitro Diagnostic (IVD) Medical Equipment
UL 61010-2-201	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use - Part 2-201: Particular Requirements for Control Equipment
UL 2849*	Standard for Electrical Systems for eBikes

*Represents the standards OSHA is adding to the NRTL Program's List of Appropriate Test Standards (see Table 2, below).

In this notice, OSHA also announces the addition of four new test standards to the NRTL Program's List of Appropriate Test Standards. Table 2, below, lists the test standards that are new to the NRTL Program. OSHA has determined that these test standards are appropriate test standards and will include them in the NRTL Program's List of Appropriate Test Standards.

Table 2

Test Standards OSHA is adding to the NRTL Program's

List of Appropriate Test Standards

Test Standard	Test Standard Title
UL 2272	Standard for Electrical Systems and Personal E-Mobility Devices
UL 2743	Standard for Portable Power Packs
UL 8139	Electrical Systems of Electronic Cigarettes and Vaping Devices
UL 2849	Standard for Electrical Systems for eBikes

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standard listed above as an American National Standard. However, for convenience, OSHA may use the designation of the standards-developing organization for the standard as opposed to the ANSI designation. Under the NRTL Program's policy (see OSHA Instruction CPL 01-00-004, Chapter 2, Section VIII), only standards determined to be appropriate test standards may be approved for NRTL recognition. Any NRTL recognized for an appropriate test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

A. Conditions

In addition to those conditions already required by 29 CFR 1910.7, SGS must abide by the following conditions of recognition:

1. SGS must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in the operations as a NRTL, and provide details of the change(s);
2. SGS must meet all the terms of the recognition and comply with all OSHA policies pertaining to this recognition; and
3. SGS must continue to meet the requirements for recognition, including all previously published conditions on SGS's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of SGS, subject to the limitations and conditions specified above. OSHA also adds four new test standards to the NRTL Program's List of Appropriate Test Standards.

III. Authority and Signature

Douglas L. Parker, Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to Section 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8-2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC.

Douglas L. Parker,
Assistant Secretary of Labor for Occupational Safety and Health.